

To the Members of the California State Assembly:

I am returning Assembly Bill 1338 without my signature.

This bill is similar to AB 1795 which I vetoed last year. I support policies that provide children and their advocates with means to obtain and exercise their rights, however this bill is unnecessary. This bill is an overly broad and costly response to a problem that may be resolved administratively.

The Department of Social Services has taken steps to minimize this potential problem for foster youth by recently developing regulations that require a Transitional Independent Living Plan to be completed for each child in foster care. This plan includes a variety of issues, including addressing immigration status. This should enable the immigration process to be started sooner.

Current law requires the court to appoint an attorney to represent the child in dependency proceedings. In addition, counties have the option of appointing an attorney to assist in resolving the immigration status of a child. This bill will apply an overbroad solution to all counties regardless of the individual needs of each jurisdiction.

For the reasons stated above I am unable to support this measure.

Sincerely,

Arnold Schwarzenegger